

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

June 9, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 10HD-175

HAWAII

Set Aside of Naval Air Station (NAS) Swimming Pool Site to County of Hawaii for Park and Community Purposes; Issuance of Immediate Management and Construction Right-of-Entry, Waiakea, South Hilo, Hawaii, Tax Map Key: 3rd/ 2-1-12: Portion of 149.

APPLICANT:

County of Hawaii

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands, NAS Swimming Pool Site at Waiakea, South Hilo, Hawaii, identified by Tax Map Key: 3rd/ 2-1-12: portion of 149, as shown on the attached map labeled Exhibit A.

AREA:

1.50 acres, more or less.

Parcel 149 consists of 11.8950 acres, of which, a 1.50-acre portion containing the NAS Swimming Pool site is to be subdivided out for set aside to the County of Hawaii.

ZONING:

State Land Use District:	Urban
County of Hawaii CZO:	ML-20 (Limited Industrial District, minimum land area of 20,000 square feet required for each building.)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES ____ NO x

CURRENT USE STATUS:

Unencumbered

Since the 1960's, the County of Hawaii has operated and maintained a facility known as the NAS Swimming Pool. For reasons unknown, there is no formal conveyance of the site from the State to the County.

PURPOSE:

For park and community purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached below as **Exhibit B**.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1. Process and obtain subdivision at Applicant's own cost;
2. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;

REMARKS:

Construction of a Naval Air Station (NAS) in Waiakea, South Hilo began in 1943. A 1944 blueprint of the airfield shows that the subject area was used for enlisted men's housing with a capacity of up to 4,500 men. In December of 1945, this area was entirely cleared of NAS facilities and was officially closed on August 31, 1947. Except for the swimming pool, only a few small structures, roads, overhead power lines and remnant concrete foundations remain from prior military use.

The County has continuously operated and maintained the facility as a public swimming pool since the late 1960's with special emphasis placed on providing aquatic programs for our community's keiki and kupuna. However, records do not indicate any formal conveyance of the

site from the state to the County of Hawaii.

By letter dated September 22, 2010, the County of Hawaii formally requested the set-aside of the NAS Swimming Pool to the County of Hawaii for park and community purposes. The subject property is situated in Waiakea, South Hilo, Hawaii, identified as Tax Map Key: 3rd/ 2-1-012: portion of 149. The county is seeking the set aside to ensure the preservation and perpetuation of the facility as a public asset provided by the county and also in anticipation of investing considerable funds to renovate and upgrade the aging facility.

To date, there are no alternatives for higher or best use of the subject area. Prior to completing the set aside, the county will be required to subdivide out the NAS Swimming Pool site from Parcel 149. As a result, upon completion of the set aside, the proposed use will fully utilize the lands requested.

Given the disturbance required to prepare the property for its previous military and industrial uses, any remains, artifacts or resources would have been destroyed long ago. An October 2007 archaeological assessment prepared by Pacific Legacy, Inc. for the subject property found no surface artifacts and no evidence to suggest that subsurface artifacts would be found. The State Division of Historic Preservation was consulted and agreed that there are no subsurface artifacts present.

On 4/11/11, various governmental agencies and interest groups were solicited for comments. To date, all respondents had no comments or objections to the request.

AGENCIES	COMMENTS
County of Hawaii:	
Fire Department	No comments
Planning	No objections
Police Department	No comments
Public Works	No response
Water Supply	No objections
State of Hawaii:	
DHHL	No comments
DLNR-HP	No response
DOH	No response
DOT-Airports	No response
Other Agencies/ Interest Groups:	
Office of Hawaiian Affairs	No objections

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to County of Hawaii, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Grant an Immediate Management and Construction Right-of-Entry to the County of Hawaii, its consultants, contractors and/or persons acting for or on its behalf, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current management and construction right-of-entry form as may be amended from time to time;
 - B. This management and construction right-of-entry is effective upon Land Board approval and shall continue until the executive order document is issued;
 - C. The Department of Land and Natural Resources reserves the right to impose additional terms and conditions at any time if it deems necessary while this right-of-entry is in force.

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4. That the Chairperson be authorized to consent to the filing of an application with the Planning Department of the County of Hawaii for the subdivision of the 1.50-acre site from Tax Map Key 3rd/ 2-1-012:149.

Respectfully Submitted,



Wesley T. Matsunaga
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

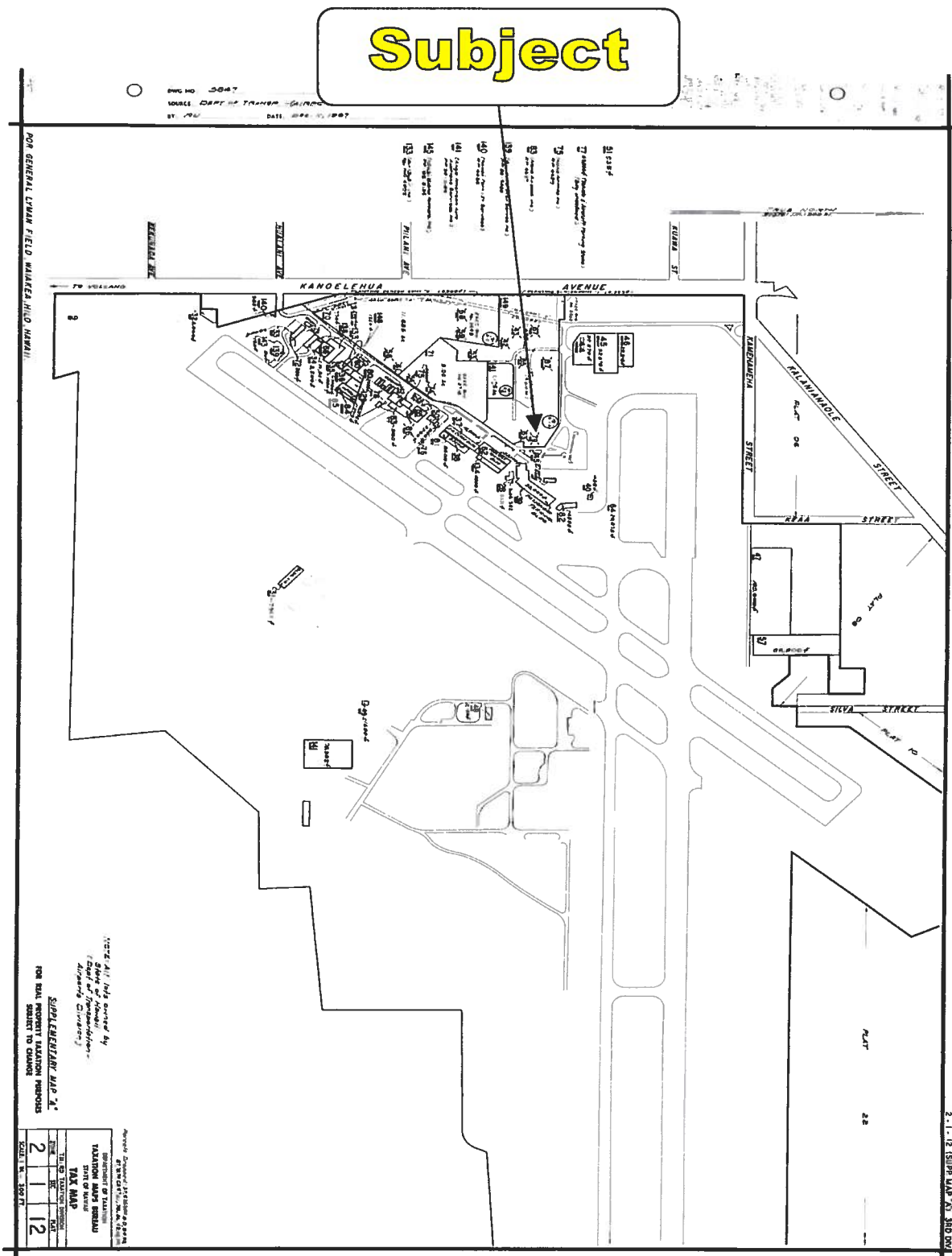


EXHIBIT A

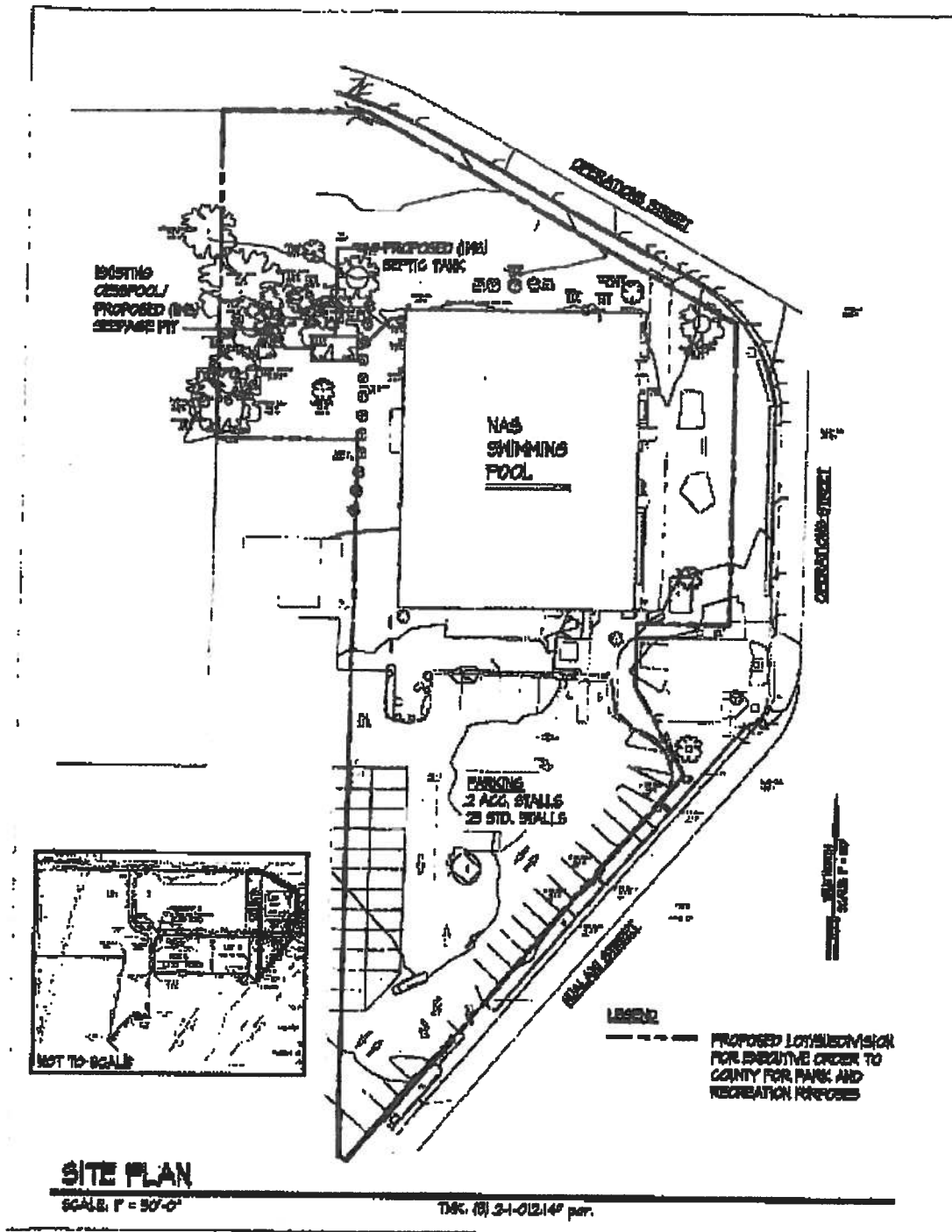


EXHIBIT A

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 9, 2011

WILLIAM J. AHLA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Set aside to the County of Hawaii, lands containing the NAS Swimming Pool, consisting of approximately 1.50 acres near Hilo International Airport for park and community purposes.

Project / Reference No.: 10HD-175

Project Location: Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-012: portion of 149.

Project Description: Set Aside of NAS Swimming Pool Site to County of Hawaii.

Chap. 343 Trigger(s): Use of State Lands.

Exemption Class No. and Description: In accordance with the Division of Land Management Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to:

Exemption Class No. 1, which states, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

This action before the Board is merely a transfer of management jurisdiction and does not constitute an "action"

EXHIBIT "B"

June 9, 2011

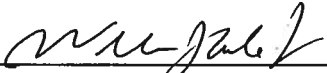
that triggers the need for an environmental assessment.

Exemption Item Description
from Agency Exemption List:

Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

Recommendation:

The set-aside to the County of Hawaii (COH) will probably have minimal or no significant effect on the environment. It is recommended that the Board of Land and Natural Resources find that the proposed action is exempt from the preparation of an environmental assessment. Inasmuch as the Chapter 343 environmental requirements apply to any future use the COH may make of the land that is consistent with the purpose of the set-aside, COH shall be responsible for compliance with Chapter 343, HRS, as amended.



William J. Aila, Jr., Chairperson

5/23/11

Date